MDT Environmental Checklist Help Sheet

The following information is provided as a courtesy and is intended to be used for informational purposes only. The Applicant is expected to confirm that the information is accurate and up to date. The Applicant is responsible for ensuring accurate, current information in the checklist responses and compliance with all environmental laws and regulations applicable to the proposed activity.

Where Do I Start?

The following links are provided as a starting point for potential sources of information for completing the checklist. The Applicant is encouraged to consult other information sources and/or professionals.

- National Register of Historic Places: http://www.nationalregisterofhistoricplaces.com/mt/state.html
- Land Ownership: https://mslservices.mt.gov/geographic_information/maps/land_ownership
- Montana MS4 Map: https://arcg.is/0CuSu4
- Farmland Classification: http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx
- Wild and Scenic Rivers: http://www.rivers.gov/montana.php
- Wetlands: https://mtnhp.org/wetlands/default.asp
- Threatened and Endangered Species: https://ipac.ecosphere.fws.gov/location/index
- Sage Grouse Habitat Conservation Map: https://sagegrouse.mt.gov/ProgramMap
- Montana Indian Nations: https://tribalnations.mt.gov/tribalnations
- Map of Montana Tribal Reservations: https://montana.maps.arcgis.com/home/webmap/viewer.html?webmap=6a6b29e632b749bc98e2ea4c9467fd94
- Blackfeet Tribal Environmental Permits: http://www.blackfeetenvironmental.com
- CSKT Environmental Permits: http://csktnrd.org/ep
- DEQs interactive map for various environmental (hazmat) sites: https://discover-mtdeq.hub.arcgis.com/
- Montana Underground Sites: https://deq.mt.gov/twr/Programs/ust
- Montana Superfund Sites: https://www.epa.gov/superfund-redevelopment-initiative/superfund-sites-reuse-montana
- Open Cut Mine Locations: https://deq.mt.gov/mining/Programs/opencut
- Air Quality Nonattainment Areas: https://deq.mt.gov/air/Programs/planandrule
- Class I Airsheds: https://www.nps.gov/subjects/air/class1.htm
    - Non-Tribal Class I Airsheds: https://www.epa.gov/visibility/list-areas-protected-regional-haze-program
    - Tribal Class I Airsheds: https://www.nps.gov/subjects/air/tribalclass1.htm

Do I Need Other Permits?

Commonly required water quality related permits or authorizations are listed below. **Other permits or authorizations may be required and other laws may apply, depending on the type and the location of the proposed activity.** For more information, please refer to "A Guide to Stream Permitting in Montana" available on the Internet at http://dnrc.mt.gov/licenses-and-permits/stream-permitting or from your local conservation district office. (The information provided below was adapted from "A Guide to Stream Permitting in Montana")

Applicants are encouraged to plan ahead! Note that applicable permits must be secured before beginning work. Permitting application processing can take from 10 to 120 days from the time a complete application is submitted, depending upon the agency with authority and the proposed activity.

Montana Natural Streambed and Land Preservation Act (310 Permit)

Any private, nongovernmental individual or entity that proposes to work in or near a stream on public or private land must obtain a 310 permit for any activity that physically alters or modifies the bed or immediate banks of a perennially flowing stream. For more information, contact the local conservation district, the Conservation Districts Bureau of the Department of Natural Resources and Conservation http://dnrc.mt.gov/divisions/cardd/conservation-districts ((406) 444-6667) or the Montana Association of Conservation Districts at (406) 443-5711.

Montana Stream Protection Act (SPA 124 Notification)

Any agency or subdivision of federal, state, county, or city government proposing a project that may affect the bed or banks of any stream in Montana must obtain an SPA 124 for any project including the construction of new facilities or the modification, operation, and maintenance of an existing facility that may affect the natural existing shape and form of any stream or its banks or tributaries . For more information, contact the Fisheries Habitat Section of the Fisheries Bureau of the Department of Fish, Wildlife and Parks at (406) 444-2449.

Montana Floodplain and Floodway Management Act (Floodplain Development Permit)

Anyone planning new construction within a designated l00-year floodplain must obtain a floodplain development permit. New construction includes, but is not limited to, placement of fill, roads, bridges, culverts, transmission lines, irrigation facilities, storage of equipment or materials, and excavation; new construction, placement, or replacement of manufactured homes; and new construction, additions, or substantial improvements to residential and commercial buildings. Permit applications are available from the local floodplain administrator or from the Department of Natural Resources and Conservation. For more information contact the Floodplain Management Section of the Department of Natural Resources and Conservation at (406) 444-0862.

Federal Clean Water Act (404 Permit)

Anyone proposing a project that will result in the discharge or placement of dredged or fill material into waters of the U. S. must obtain a 404 permit. "Waters of the U.S." include lakes, rivers, streams (including perennial, intermittent, and ephemeral channels), some irrigation facilities, wetlands, and other aquatic sites. Submit an application to the U.S. Army Corps of Engineers. The U.S. Environmental Protection Agency (EPA) also has regulatory review and enforcement functions under the law. For more information, contact the Army Corps of Engineers at (406) 441-1375 or http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Montana.aspx MDT has copies of the current Nationwide Permit Fact Sheets available at http://www.mdt.mt.gov/business/contracting/environmental/cwa.shtml.

Short-term Water Quality Standard for Turbidity (318 Authorization)

Anyone initiating construction activity that will cause short term or temporary violations of state surface water quality standards for turbidity in any "State water" must obtain a 318 Authorization before beginning work. "State water" includes any body of water, irrigation system, or drainage system, either
surface or underground, including wetlands, except for irrigation water where the water is used up within the irrigation system and the water is not returned to other state water. The authorization may be obtained from the Department of Environmental Quality(DEQ) , or may be waived by the Department of Fish, Wildlife and Parks during its review process under the Natural Streambed and Land Preservation Act (310 Permit) or the Stream Protection Act (SPA 124Notification). For more information contact the DEQ Water Protection Bureau at (406) 444-0420 or https://deq.mt.gov/water/assistance

Storm Water Discharge General Permits

Anyone proposing construction activities (which include soil disturbing activities such as clearing, grading, excavating, stockpiling, etc.) that disturb one or more acres, or smaller sites that are part of a larger common plan of development or sale, are regulated under a General Permit for Storm Water Discharges Associated with Construction Activity (SWC).EPA's NPDES stormwater program or DEQ's MPDES stormwater program. For more information contact EPA at https://www.epa.gov/npdes/2022-construction-general-permit-cgp or the DEQ Water Protection Bureau (406) 444-3080 or https://deq.mt.gov/water/assistance .